

HOUSE BILL 1209

By Love

AN ACT to amend Tennessee Code Annotated, Title 4 and Title 71, Chapter 5, relative to insurance exchanges under the federal Patient Protection and Affordable Care Act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, Part 1, is amended by adding the following language as a new, appropriately designated section:

The state shall establish and operate an American Health Benefit Exchange or any other health insurance exchange in this state as permitted under the federal Patient Protection and Affordable Care Act (Pub. L. 111-148), as amended. To the extent permitted under the federal law, the state exchange authorized by this section shall replace and succeed any federally facilitated health insurance exchange that operates in this state.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it; provided, however, this act shall have no application unless the United States Supreme Court rules in *King v. Burwell* (Docket No. 14-114) that the Internal Revenue Service may not promulgate regulations to extend tax credit subsidies to coverage purchased through exchanges established by the federal government under Section 1321 of the federal Patient Protection and Affordable Care Act (Pub. L. 111-148), as amended.